## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS TYLER DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	No. 6:22-cr-93
	§	Judge Kernodle/Love
DAVID YAGER	§	, and the second

## <u>INFORMATION</u>

THE UNITED STATES CHARGES:

## **Count One**

Violation: 18 U.S.C. § 242 (Deprivation of Rights Under Color of Law)

On or about February 28, 2021, at or near Canton, Texas, and within the Eastern District of Texas, the defendant, DAVID YAGER, while acting under color of law as Sergeant with the Van Zandt County Sheriff's Office, unreasonably assaulted pretrial detainee M.H., a person known to the United States, thereby willfully depriving M.H. of the right, secured and protected by the Constitution and laws of the United States, not to be deprived of due process of law, which includes the right to be free from the use of unreasonable force by a detention officer acting under color of law.

Specifically, the defendant, DAVID YAGER, punched M.H. in the chest multiple times with a taser, which he activated in drive-stun mode, also known as dry-stun mode, while M.H. was restrained by a detention officer and secured in a restraint chair inside the Van Zandt County Jail. The offense included the use and attempted use of a dangerous weapon and resulted in bodily injury to M.H.

In violation of 18 U.S.C. § 242.

Respectfully submitted,

**BRIT FEATHERSTON UNITED STATES ATTORNEY** 

TRACEY M. BATSON

Assistant United States Attorney

Texas Bar No. 00784119

101 E. Park Blvd., Suite 500

Plano, Texas 75074

Ph.: (972) 509-1201

Fax: (972) 509-1209 (fax)

Email: Tracey.Batson@usdoj.gov

KRISTEN CLARKE

ASSISTANT ATTORNEY GENERAL

CIVIL RIGHTS DIVISION

Dated: 7 6 2022

KATHRYN E GILBERT

MATTHEW TANNENBAUM

Trial Attorneys

**Criminal Section** 

United States Department of Justice

150 M St. NE

Washington, DC 20002

Ph.: (202) 616-2430

Email: Kathryn.Gilbert@usdoj.gov